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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

P. JEFFREY BLACK,)	
)	
Plaintiff,)	Case No. 2:10-cv-02040-JCM-VCF
)	
v.)	
)	
UNITED STATES DEPARTMENT)	
OF HOMELAND SECURITY,)	
)	
Defendant.)	

UNOPPOSED MOTION TO MODIFY BRIEFING SCHEDULE
(Second Request)

The United States Department of Homeland Security ("DHS"), by and through Daniel G. Bogden, United States Attorney, and Adam M. Flake, Assistant United States Attorney, files this unopposed motion to modify the briefing schedule the Court approved on November 14, 2011.

In support of this motion, the undersigned attorney states the following:

- On November 14, 2011 (Docket 28), this court approved the following briefing schedule:

January 17, 2012 - Due date for DHS's Opposition ("Opp.") to Plaintiff's MSJ and DHS's Cross-MSJ.

February 16, 2012 - Due date for Plaintiff's Reply to DHS's Opp. and Opp to DHS's Cross-MSJ.

March 19, 2012 - Due Date for DHS's Reply to Plaintiff's Opp.

2. On December 15, 2011, the undersigned was assigned to draft DHS's brief. Before turning his attention to this case, the undersigned was responsible for filing pleadings in several other cases, including *United States v. Romero-Duran*, D. Nevada No. 09-CR-202, *United States v. Dunlop*, D. Nevada No. 01-CR-332, and *United States v. Rivera-Avalos*, D. Nevada No. 09-CR-262. The undersigned also took time off for a long-planned family vacation over the holidays. Since that time, the undersigned has worked diligently to prepare the brief. However, the undersigned needs more time to familiarize himself with the facts of the case and to conduct legal research.

3. On January 6, 2012, the undersigned spoke with Plaintiff P. Jeffery Black, who indicated that he does not oppose extending the deadline for DHS's brief.

4. The instant motion is brought in good faith and not for purposes of delay.

5. Accordingly, DHS requests that the current briefing schedule be modified as follows:

February 15, 2012 - DHS's opposition to Plaintiff's motion for summary judgment and DHS's cross-motion for summary judgment.

March 19, 2012 - Plaintiff's reply to DHS's opposition and opposition to DHS's cross-motion for summary judgment.


April 18, 2012 - DHS's reply to Plaintiff's opposition.

Respectfully submitted this 6th day of January 2012.

DANIEL G. BOGDEN
United States Attorney

/s/ Adam Flake
ADAM M. FLAKE
Assistant United States Attorney

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATED: January 10, 2012

PROOF OF SERVICE

I, Adam M. Flake, AUSA, certify that the following individual was served with the **UNOPPOSED MOTION TO MODIFY BRIEFING SCHEDULE** on this date by the below identified method of service:

U.S. Mail

P. Jeffrey Black
7582 Las Vegas Blvd. S. #450
Las Vegas, Nevada 89123-1009

Plaintiff

DATED this 6th day of January 2012.

/s/ Adam Flake
ADAM M. FLAKE
Assistant United States Attorney